

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Joseph L. Westfall

2110 Williams Ave, Clarksburg, W.V. 26301

Pro se, In forma pauperis***

(Full name and address of the plaintiff)

Plaintiff(s)

vs.

Donald J. Trump President

1600 Pennsylvania Ave NW, Washington, DC 20500

Steven T. Mnuchin Secretary U.S. Treasury

1500 Pennsylvania Ave., NW Washington, DC 20220

Individual & Official Capacities

(Full name and address of the defendant(s))

Defendant(s)

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FILED

AUG 19 2020

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

Civil No.: 1:20cv207
(Leave blank. To be filled in by Court.)

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Aloi

COMPLAINT

1. Jurisdiction in this case is based on:

☒ Diversity (none of the defendants are residents of the state where plaintiff is a resident)

☒ Federal question (suit is based upon a federal statute or provision of the United States Constitution)

☒ Other (explain) Violations of Oath of Office

Article 2 Section 3 "Take Care Clause"

*** 2019 earnings was only 36.5% of median income for age 55-64 (\$56,680)

2. The facts of this case are:

To date AUG. 15, 2020 in violation of "SEC. 6428. 2020 RECOVERY REBATES FOR INDIVIDUALS

"(f) ADVANCE REFUNDS AND CREDITS "(3) TIMING AND MANNER OF PAYMENTS.—

"(A) TIMING.—The Secretary shall, subject to the provisions of this title,

refund or credit any overpayment attributable to this section AS RAPIDLY AS POSSIBLE.

No refund or credit shall be made or allowed under this subsection after December 31, 2020."

Cares Act Public Law 116-136; I Joseph L. Westfall have not received the \$1,200.00 commanded

by 6428 (a) 03/27/2020 Became Public Law [4 months & 19 days running]

Federal forms W-2 and W-4 provide the Government with enough valid information to contact

me or simply mail the check. It is either gross incompetence or willful neglect or both on the

part of the Defendants, which leads to filing this complaint. It is a failure to "TAKE CARE

THAT THE LAWS BE FAITHFULLY EXECUTED on the part of the President U.S.Cons. Art. 2 sec 3

The Court may make this a class action

12 million low-income people could miss out on stimulus payments Jun 15, 2020 3:41 PM CDT

By Katie Lobosco, CNN

Millions of U.S. citizens won't get help from stimulus checks because their spouses or parents

are unauthorized immigrants By Dianne Solis and María Méndez 7:00 PM on Apr 16, 2020 CDT

The Dallas Morning News

Employers send withholding taxes per "two deposit schedules, monthly and semi-weekly."

<https://www.irs.gov/businesses/small-businesses-self-employed/depositing-and-reporting-emp>

My employer withholds and deposits such from my weekly pay check

(with w-2 w-4 a 3rd source of information) [4th source Form SSA-7005-SM-SI]

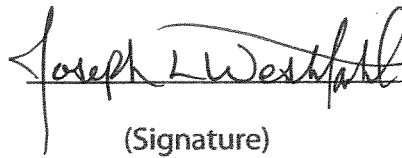
3. The relief I want the court to order is:

☒ Damages in the amount of: \$1,200.00 plus twenty four billion dollars (\$24,000,000,000.00)

☐ An injunction ordering: _____

☒ Other (explain) The Treasury Inspector General for Tax Administration (TIGTA) to investigate
who has not received the stimulus required by the "CARES ACT"

August 15, 2020
(Date)


(Signature)

Joseph L. Westfall

2110 Williams Ave, Clarksburg, W.V. 26301

304-203-9466

c.c Whitehouse, Treasury

(Printed name, address and phone number of
Plaintiff)

Privacy Rules and Judicial Conference Privacy Policy

Under the E-Government Act and Judicial Conference policy, any paper filed with the court should not contain an individual's social security number, full birth date, or home address; the full name of person known to be a minor; or a complete financial account number. These rules address the privacy concerns resulting from public access to electronic case files.